

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

LASALLE BANK, NATIONAL :
ASSOCIATION, :
: Plaintiff, :
: : CIVIL ACTION FILE
v. : NO. 1:07-CV-2482-BBM
: :
RODNEY RICHARDSON, :
: :
Defendant. :
:

ORDER

This matter is before the court on the Motion to Remand [Doc. No. 5] filed by plaintiff LaSalle Bank, National Association ("LaSalle").

This case constitutes the second appearance by defendant Rodney Richardson ("Mr. Richardson") in this court regarding the real property at 62 Adair Avenue, Atlanta, Georgia. In the case of LaSalle Bank, N.A. v. Addison, 07-CV-2011-BBM, and by Order of August 31, 2007 (the "August 31 Order"), this court remanded that case, also removed by Mr. Richardson, back to the Magistrate Court of Fulton County in order that the dispossessory action there could proceed. The August 31, Order stated as follows:

Because this court has decided that it is without jurisdiction to preside over this case, Mr. Richardson is admonished that any future attempts by him to remove this action to this court will be deemed by this court

to be an attempt to interfere with a lawful state legal proceeding brought by LaSalle, and may result in monetary sanctions.

(August 31 Order at 4.) Despite this admonition by the court, and less than a month later, Mr. Richardson again removed this action to this court.¹ In the documents filed with his removal petition, Mr. Richardson attached a copy of the September 18, 2007 Order and Judgment of the Magistrate Court of Fulton County, Georgia issuing a writ of possession for the 62 Adair Avenue property. This is the very action that this court previously remanded, and as such the court finds that Mr. Richardson's repeated removal of this action is an attempt to interfere with a lawful state legal proceeding. For the reasons stated in this court's August 31 Order, the court finds that it does not have jurisdiction over this action, and remands it to the Magistrate Court of Fulton County.

SUMMARY

The Motion to Remand [Doc. No. 5] filed by LaSalle is GRANTED. The Clerk is DIRECTED to remand this case to the Magistrate Court of Fulton County.

The court also hereby imposes FILING RESTRICTIONS upon Mr. Richardson relating to the 62 Adair Avenue, Atlanta, Georgia property. Specifically Mr.

¹What is worse, in a case of the right hand not knowing what the left hand is doing, the Magistrate Judge found that Mr. Richardson's action was not on its face "entirely frivolous or malicious," and he was granted authority to proceed without paying a filing fee. (Oct. 4, 2007 Order of Magistrate Judge at 1.)

Richardson is restrained and enjoined from relitigating, or attempting to relitigate, by commencing or filing, in this court, any future action, complaint, or cause of action seeking adjudication of the facts related to the foreclosure or dispossessory action as to the property located at 62 Adair Avenue, Atlanta, Georgia. If Mr. Richardson wishes to file anything further as it relates to the real property at 62 Adair Avenue, Atlanta, Georgia, in this or any other action, he is hereby ORDERED to submit a motion for leave to file his proposed filing to the court for its consideration, along with a signed original copy of such proposed filing together with a copy of this Order. The Clerk is DIRECTED that if Mr. Richardson submits any such filings, the Clerk shall forward the filings and accompanying documents to the undersigned for consideration. The Clerk is further DIRECTED to refrain from entering any further filings by Mr. Richardson regarding the property at 62 Adair Avenue, Atlanta, Georgia unless this court enters an Order permitting the Clerk to do so.

IT IS SO ORDERED, this 17th day of October, 2007.

s/Beverly B. Martin
BEVERLY B. MARTIN
UNITED STATES DISTRICT JUDGE